

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

ROBERT RHODES,

Defendant.

No. 18-cr-373 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of a *pro se* letter from Defendant Robert Rhodes, dated November 30, 2020 but postmarked December 2, 2020 and received in chambers on December 11, 2020, which asserts that the conditions of his confinement at USP, Canaan violate his Eighth Amendment rights (attached hereto). Accordingly, IT IS HEREBY ORDERED THAT Rhodes's counsel shall file a letter no later than December 18, 2020, apprising the Court of whether the Court should construe this letter as a *pro se* request for relief that is independent of Rhodes's currently pending motion for compassionate release (Doc. No. 755). The Clerk of Court is respectfully directed to mail a copy of this order to Rhodes.

SO ORDERED.

Dated: December 11, 2020
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation

United States district Court
2nd Circuit Southern district of New York

United States of America *

Vs. *

Robert Rhodes *

defendant *

Pursuant to 28 U.S.C §1746, I, Rhodes, Robert 85770054,
declare under the penalty of perjury that the
foregoing is True, and Correct
Executed On: Nov, 30, 2020

Robert Rhodes 85770054
signature of Movant

To honorable, Sullivan

I Robert Rhodes, Write this Complaint to
explain the harsh misconduct by BOP Staff
Members intentionally and negligently, which shows
my eighth amendment is being violated, as follows.

During the week of November 23, 2020 to
present, while incarcerated in USP Canaan in
Waymart P.A. During this week, there is a Facility
Lockdown due to severe cases of Covid 19

Factual Background

On or about November 23, 2020 at approximately 7:30 pm, There was a Facility Wide lockdown in USP Canaan due to Covid 19 Cases 25 Inmates have been in contact with the virus & has Contracted Covid 19, From Mon 23, 2020 up until present, I have been Confined to my cell for long periods of time, There is little to no heat & I'm being confined in Freezing Cold temperatures with adequate Clothing or blankets, I have no access to Clean laundry, hot food, regularly scheduled Meals, regular Showers or even a hot Shower For the last week or so, Medical or Psychiatric Care, exercise, Commissary, or Outside Communications with My Family or lawyers via email, payphone or visits. As a result of being confined in the circumstances describe above, including ^{But no limited to} ~~on the circumstances~~ a prolonged period of bitter-Cold, I still though Complained about My Medical issue prior to this additional information, physical pain & discomfort, including as a result of My exposure to the Cold; hunger, exposure to noxious odors, due to infected & bleeding abscess in My buttocks, severe personal uncleanness caused by lack of access to Showers or Clean Clothing and Linens; emotional & psychological distress. I rather Catch Covid 19 with My Family being able to visit me in a hospital not die in Jail from a virus that was brought in by BOP Staff. Attorney general, William Barr stated in a Memorandum To director of BOP Michael Carvajal -via-email, "I believe strongly that we should do everything we can to protect the Inmates in our Care, also The mission of BOP is to administer

the lawful punishment that our Justice system imposes, Executing that mission imposes on us a profound obligation to protect the health and safety of all inmates, While we have a solemn obligation to protect the people in BOP Custody



U. S. Department of Justice

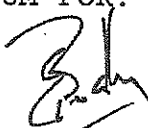
Federal Bureau of Prisons

USP Canaan

3057 Eric J. Williams Memorial Drive
Waymart, PA 18472

November 30, 2020

MEMORANDUM FOR: THE INMATE POPULATION

FROM:  E. Bradley, Warden

SUBJECT: COVID-19 Updates

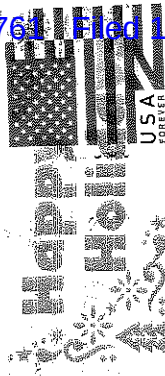
Due to positive inmate cases identified in F1, F2, B2, and D1 housing units, movement will be limited. We are currently monitoring the inmate population and symptom checking. Care kits are being handed out to all inmates to include hygiene and sanitation items. Please report any symptoms to medical staff.

I Robert Rhodes resides in housing Unit Delta #1
Cell #216

Robert Rhodes 85770-054
USP Carcan
Smart Communication
PO Box 30
Dinellas Park FL 33781

LEHIGH VALLEY PA 180

2 DEC 2020 PM 3 L



Honorable Judge Sullivan
500 Pearl st
Southern District Court
New York NY, 10007

Legal Mail

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Legal Mail